

REMARKS

The Examiner has restricted the claims with respect to species A and B. As best as Applicants are able to understand the Restriction, Species A is directed to an embodiment in which a portion of a fixed flow of a heat transfer gas enters the support arrangement and a second portion of the fixed flow is controllably released responsive to backside pressure to maintain the backside pressure, whereas Species B is assertedly directed to releasing the second portion into the treatment chamber so as to provide an approximately fixed dilution of the heat transfer gas. Accordingly, Applicants elect Species A with traverse. Species A is thought to include Claims 8-11, 13, 14, 22-24 and 26-29, as will be discussed below.

Initially it is noted that Species A appears to include independent claim 8. Dependent claims 9-14 each depend either directly or indirectly from claim 8. Dependent claims 9-11, 13 and 14 appear to form part of Species A. It should be appreciated, however, that claim 12 clearly includes limitations that are exemplary of Species B with respect to providing a relatively constant dilution of the heat transfer gas. Hence, Species A appears to be broader than and encompass the scope of Species B.

Independent Claim 22 appears to form part of Species A. Dependent claims 23-28 each depend either directly or indirectly from claim 22. Dependent claims 23, 24 and 26-28 appear to form part of Species A. It should be appreciated, however, that claim 25 clearly includes limitations that are exemplary of Species B. Once again, Species A appears to be broader than and encompass the scope of Species B. Thus, Species A appears to include claims 8-11, 13, 14, 22-24 and 26-29.

Claims 33-36 and 42-46 appear to form part of Species B and reflect the limitations of dependent claims 12 and 25.

In view of the foregoing, Applicants respectfully submit that the Restriction Requirement is improper and should be withdrawn at least for the reason that the subject matter of claims 12 and 25, which reflects the limitations that are asserted to define Species B, is overlapped by Species A. In this regard, Claims 8 and 22 take on the appearance of generic claims. Further, Applicants respectfully submit that it would not be an undue burden on the Examiner to examine the claims of both asserted species.

If the Examiner has any questions concerning this case, the Examiner is respectfully requested to contact Mike Pritzkau at 303-410-9254.

Respectfully submitted,
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